

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE**

ANGELICA CRUZ-ROMO and
ROGELIO GARCIA,

Plaintiffs,

V.

PUBLIX SUPER MARKETS, INC.,
PUBLIX ASSET MANAGEMENT
COMPANY, and PUBLIX TENNESSEE,
LLC.

Defendants.

Case No. _____
JURY DEMAND _____

NOTICE OF REMOVAL

Please take notice that the Defendants, Publix Super Markets, Inc., Publix Asset Management Company, and Publix Tennessee, LLC, hereby remove Court Case No. 21C2157 from the Circuit Court for Davidson County, Tennessee, and state as follows:

1. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

2. On or about December 6, 2021, Plaintiffs filed a Complaint against Defendants in the Circuit Court for Davidson County, Tennessee. On or about December 13, 2021, a copy of the Complaint filed in the Circuit Court for Davidson County, Tennessee was served on Publix Super Markets, Inc. through Publix Super Markets Inc.'s registered agent, Corporate Creations Network, Inc., and thereafter forwarded to Publix Super Markets, Inc. at its offices in Lakeland, Florida. On or about December 13, 2021, a copy of the Complaint filed in the Circuit Court for Davidson County, Tennessee was served on Publix Asset Management Company through Publix Asset Management Company's registered agent, Corporate Creations

Network, Inc., and thereafter forwarded to Publix Asset Management Company at its offices in Lakeland, Florida. On or about December 13, 2021, a copy of the Complaint filed in the Circuit Court for Davidson County, Tennessee was served on Publix Tennessee, LLC through Publix Tennessee, LLC's registered agent, Corporate Creations Network, Inc., and thereafter forwarded to Publix Asset Management Company at its offices in Lakeland, Florida.

3. Said Complaint set forth a claim for monetary damages for Plaintiff Angelica Cruz-Romo in an amount "not to exceed \$200,000," and for Rogelio Garcia in an amount "not to exceed \$50,000."

4. Upon information and belief, plaintiffs are citizens and residents of Tennessee, and the Complaint so alleges.

5. Publix Super Markets, Inc. is a Florida Corporation with its principal place of business at 3300 Publix Corporate Parkway, Lakeland, Florida 33802.

6. Publix Asset Management Company is a Florida Corporation with its principal place of business at 3300 Publix Corporate Parkway, Lakeland, Florida 33802.

7. Publix Tennessee, LLC is a Florida limited liability company. Its only members are Publix Asset Management Company and Publix Super Markets, Inc., both of which are Florida corporations with their principal places of business at 3300 Publix Corporate Parkway, Lakeland, Florida 33802.

8. This Court has original jurisdiction of this case pursuant to 28 USC § 1332 because there is complete diversity of citizenship between Plaintiffs and Defendants, and the amount in controversy for the claims against the Defendants is in excess of \$75,000.00.

8. Pursuant to 28 USC § 1446(a), copies of all process, pleadings, and orders served upon or by the Defendants are attached hereto as collective Exhibit A. No other process, pleadings, or orders have been served upon or filed by the Defendants, and there have been no further proceedings involving the Defendants in the Circuit Court for Davidson County, Tennessee as of this date.

9. Pursuant to 28 USC § 1446(b), this Notice of Removal is being filed within thirty (30) days of the Defendants' first receipt, by service or otherwise, of a copy of the initial pleading setting forth claims for relief against it upon which the State Court proceeding is based, and is therefore timely filed.

10. Pursuant to 28 USC § 1441(a), the United States District Court for the Middle District of Tennessee is the Federal District Court for the district and division embracing the place where the State Court suit is pending.

11. Pursuant to 28 USC § 1446(d), all adverse parties are being provided with written notice of the filing of this Notice of Removal.

12. Pursuant to 28 USC § 1446(d), a copy of this Notice of Removal is being filed with the Clerk of the Circuit Court for Davidson County, Tennessee.

WHEREFORE, Publix Super Markets, Inc., Publix Asset Management Company and Publix Tennessee, LLC remove this case from the Circuit Court for Davidson County, Tennessee to this Court.

Respectfully submitted,

WATKINS & McNEILLY, PLLC

/s/ Steven D. Parman

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent by U.S. Mail, postage prepaid, and email to Michael K. Parsley, Michael D. Ponce and Associates, PLLC, 400 Professional Park Dr., Goodlettsville, TN 37072, michaelp@poncelaw.com, Attorney for Plaintiff, on this 7th day of January, 2022.

/s/ Steven D. Parman
Steven D. Parman